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**DONNA SEIDEL**  
**STATE REPRESENTATIVE**  
**85TH ASSEMBLY DISTRICT**

**Testimony of Rep. Donna Seidel**  
**Assembly Bill 591**  
**Assembly Committee on Health and Health Care Reform**  
**December 2, 2009**

Good morning Chairman Richards and fellow committee members. Thank you for this opportunity to testify in support of AB 591.

This legislation is very simple and straightforward. The bill expressly authorizes optometrists to dispense medicated contact lenses in addition to their current ability to prescribe and administer them.

I decided to introduce this bill after talking with an optometrist from my district and learning about the statutory changes that are needed. AB 591 has the full support of the Wisconsin Optometric Association and I am very proud of the strong bi-partisan support the bill has received.

Under current law, doctors of optometry are permitted to prescribe both contact lenses and medications that treat eye conditions. Additionally, licensed optometrists may provide a complimentary sample of the therapeutic agent to a patient to whom the optometrist has rendered care in his or her office.

New technology is constantly being developed to more effectively meet the eye care needs of health care patients. Very soon, the FDA is expected to give final approval to medicated contact lenses that treat eye conditions. The medication will be contained in the contact lens and released into the eye over a period of time.

Thank you for your attention to this legislation. I would now like to introduce Peter Theo from the Wisconsin Optometric Association.

W I S C O N S I N  
O P T O M E T R I C  
A S S O C I A T I O N

TO: Assembly Health Committee Members  
FROM: Peter Theo, Executive Vice President Wisconsin Optometric Association  
RE: Assembly Bill 591  
DATE: Wednesday December 2, 2009

Good Morning:

The Wisconsin Optometric Association is testifying today in support of AB 591, which as you know is authored by Assistance Majority Leaders Donna Seidel. This proposal allows doctors of optometry to dispense medicated contact lenses, which will soon be available by prescription to patients suffering from eye health conditions. We appreciate the opportunity to speak with you today and to provide information on this valued legislation.

Medicated contact lenses will treat medical conditions of the eyes such as conjunctivitis, a common eye infection, by incorporating pharmaceuticals in contact lenses. The medication is released into the eyes over a specific period of time, which allows for a more direct application of medications, better patient compliance and helps avoid misuse of medications.

Current law clearly permits doctors of optometry to prescribe and dispense contact lenses, as well as to prescribe pharmaceuticals with an ophthalmic therapeutic purpose to treat and manage conditions of the eye. However, when you put the two together, as in medicated contact lenses, the question of dispensing becomes somewhat vague.

Therefore, AB 591 clearly states in the law that doctors of optometry have the authority to dispense medicated contact lenses. This authority is granted as long as the medications contained in the lenses are approved for an ophthalmic therapeutic purpose, as is the standard under current law.

Finally, the WOA has worked diligently over the past several months to inform other professional organizations about our efforts on this bill. We did so in order to accommodate any concerns they may have had before we brought this proposal to the legislature. I am very pleased to report AB 591 is a product of these efforts. Specifically, the WOA worked closely with the Wisconsin Academy of Ophthalmology, which resulted in a signed letter of agreement between the WAO executive director and myself. I have provided a copy of that letter with this letter.

Thank you again for allowing the WOA to testify on this proposal. Should you have any questions or are in need of additional information, please contact me directly at the numbers listed below.

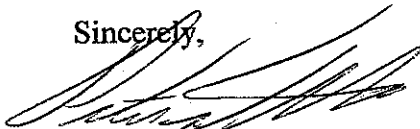
Peter Theo  
Executive Vice President  
Wisconsin Optometric Association  
Office: 608-824-220  
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**Statement of Agreement between the Wisconsin Optometric Association and  
the Wisconsin Academy of Ophthalmology  
November 4, 2009**

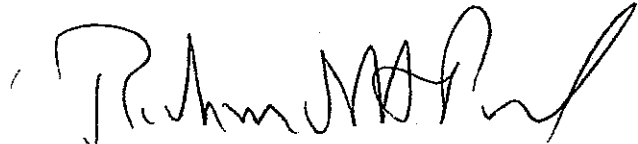
The signers of this document have the full authority to do so on behalf of their respective organizations, the Wisconsin Optometric Association (WOA) and the Wisconsin Academy of Ophthalmology (WAO). Both organizations agree to the language contained in Legislative Reference Bureau Draft 3569/P3 which is attached to this letter of agreement and its subsequent numeric designation as a legislative proposal. The terms of this agreement are as follows:

1. The Wisconsin Academy of Ophthalmology agrees to remain neutral and/or be supportive of the proposal presented in the LRB Draft 3569/P3 and agrees to oppose any modifications to this language throughout its consideration in the legislature this session. The WAO also agrees to encourage the Wisconsin Medical Society to likewise remain neutral and or support the bill.
2. The Wisconsin Optometric Association supports the bill as presented in the LRB Draft 3569/P3 and agrees to oppose any modifications to this language throughout its consideration in the legislature this session.

Sincerely,



Peter Theo  
Executive Vice President  
Wisconsin Optometric Association



Richard H. Paul  
Executive Director  
Wisconsin Academy of Ophthalmology